

Central Intelligence Agency



Washington, D.C. 20505

(b)(3)



25 March 2009

Mr. Mark S. Zaid  
Executive Director  
The James Madison Project  
1380 Monroe Street, NW  
Unit 269  
Washington, D.C. 20010

APPROVED FOR  
RELEASE ☐ DATE:  
18-Aug-2010

Reference: F-2009-00421

Dear Mr. Zaid:

On 28 January 2009, the office of the Information and Privacy Coordinator received your 27 January 2009 Freedom of Information Act (FOIA) request for:

1. **"The 20 April 2001 shoot down of a small plane carrying Baptist missionaries by the Peruvian Air Force ('the shoot down');**
2. **The Department of Justice ('DOJ') investigation into the shoot down, concluded in 2005;**
3. **The CIA Inspector General's report regarding the shoot down and the 'Airbridge' program as a whole, concluded in August 2008 ('the IG report');** and
4. **Any other investigations performed by other federal agencies into any of the above topics."**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

You have requested expedited processing. We handle all requests in the order we receive them; that is, "first-in, first-out." We make exceptions to this rule only when a requester establishes a compelling need under the standards in our regulations. Your request does not demonstrate a "compelling need" under these criteria and, therefore, we deny your request for expedited processing.

With regard to Item 1, the CIA Information Act, 50 U.S.C. § 431, as amended, exempts CIA operational files from the search, review, publication, and disclosure requirements of the FOIA. To the extent your request seeks information that is subject to

the FOIA, we accept your request and will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act. We will search for records existing through the date of this acceptance letter. As a matter of administrative discretion, and in accordance with our regulations, the Agency has waived the fees for this request.

Regarding Item 2, the information you are seeking would be under the auspices of the U.S. Department of Justice. Therefore, you should contact the Department of Justice at the following address for the records you require:

Ms. Melanie Pustay, Director  
Office of Information and Privacy  
U.S. Department of Justice  
1425 New York Avenue, NW  
Washington, D.C. 20530-0001

Regarding Item 3, we are currently processing a request for the same records from another requester. Once our research and review of that request is completed, we will forward to you the same CIA-originated records, if released. We have a substantial backlog, which we are working diligently to reduce, so we are unable to estimate when our review will be completed. However, you will be notified once the processing of the original request is complete.

In regards to Item 4, for your information, the CIA is not the repository for records of other government agencies. For that portion of your request seeking records of other government agencies, you must contact them directly.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator

